

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KEVIN PADILLA-OLMEDO,

Defendant.

8:16CR231

ORDER

This matter is before the court on defendant's Motion to Continue Trial and Extend Pretrial Motions Deadlines [57]. For good cause shown, I find that the motion should be granted. The defendant will be given an approximate 2-week extension. Pretrial Motions shall be filed by March 10, 2017.

IT IS ORDERED:

1. Defendant's Motion to Continue Trial and Extend Pretrial Motions Deadlines [57] is granted. Pretrial motions shall be filed on or before March 10, 2017.
2. Defendant is ordered to file the affidavit required by Rule 16(c), Fed. R. Cr. P. and NE. Crim. R. 12.1 forthwith.
3. The trial scheduled on March 6, 2017 is canceled and will be reschedule by further order of the court.
4. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., the time between February 24, 2017 and March 10, 2017, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel required additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

Dated this 28th day of February, 2017.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge